

CITY OF
WOLVERHAMPTON
COUNCIL

Statutory Licensing Sub-Committee

25 February 2021

Report title	Licensing Act 2003 - Application for a Review of a Premises Licence in respect of The Glassy Junction, 131 Willenhall Road, Wolverhampton, WV1 2HR	
Wards affected	East Park	
Accountable director	Ross Cook, Director of City Environment	
Originating service	Licensing	
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Recommendation for decision:

1. To consider this application for a review of a premises licence.

1.0 Purpose

- 1.1 To submit for consideration by the Statutory Licensing Sub-Committee an application for a review of a premises licence.

2.0 Background

- 2.1 The current premises licence is attached at Appendix 1.

3.0 Review Application

- 3.1 An application was received from the Service Lead - Covid Business Support, Environmental Health, on 6 January 2021 for a review of a premises licence in respect of The Glassy Junction, 131 Willenhall Road, Wolverhampton, WV1 2HR
- 3.2 The premises location is East Park Ward and a location plan is attached at Appendix 2.
- 3.3 A copy of the review application is attached at Appendix 3. The review has been brought in support of the Public Safety licensing objective.
- 3.4 Supporting evidence is detailed within the review application and has been marked exempt from publication under Schedule 12A of the Local Government Act 1972 (as amended), Part 1 Paragraph 1 and is attached at Appendix 4.
- 3.5 Representations have been received from West Midlands Police, Public Health and Licensing Authority. These representations can be found at Appendices 5, 6 and 7 respectively.
- 3.6 The notice of review has been properly served on all the Responsible Authorities. The Council has complied the legislative process and displayed the appropriate notice at the premises and on its website as required, when the application for review was made.
- 3.7 The applicant for review, the current premises licence holder and those who have made representations have all been invited to attend the hearing.

4.0 Financial implications

- 4.1 There is no fee for the application of a review and there are no direct financial implications arising from the report. The fees and charges in relation to the Licensing Act 2003 and set by the Secretary of State. This was noted by the Licensing Committee on 20 January 2021 [SB/05012021/W]

5.0 Legal implications

- 5.1 Section 51 of the Licensing Act 2003, as amended states that a responsible authority or any other person may apply to the relevant Licensing Authority for a review of a licence.
- 5.2 The Licensing Sub-Committee when determining an application for review, pursuant to Section 52 of the Licensing Act 2003 has power to take any of the following steps (if any) as it considers necessary for the promotion of the “licensing objectives” listed at 5.3.

- (a) Modify the conditions of the licence;
- (b) Exclude a licensable activity from the scope of the licence;
- (c) Remove the designated premises supervisor;
- (d) Suspend the licence for a period not exceeding 3 months;
- (e) Revoke the licence.

5.3 The four licensing objectives are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm.

5.4 In addition, regard shall be had to guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003 and Wolverhampton City Council's Licensing Policy Statement. [16/02/2021/RM]

6.0 Equalities implications

6.1 There are no direct equality implications associated with this report.

7.0 Covid Implications

7.1 On 5 November 2020 The Secretary of State brought into effect The Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020. The Regulations provided enforcement powers to allow a local authority to give prohibition notice.

8.0 Schedule of background papers

8.1 None

9.0 Appendices

9.1 Appendix 1 – Current Premises Licence

9.2 Appendix 2 – Location Plan

9.3 Appendix 3 – Review Application

9.4 Appendix 4 – Review Application Supporting Documents (Exempt)

9.5 Appendix 5 – West Midlands Police Representations

9.6 Appendix 6 – Public Health Representations

9.7 Appendix 7 – Licensing Authority Representations